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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,865	10/11/2001	John Polk	6556.0003-03000	3546
22852	7590	04/06/2007	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			KARMIS, STEFANOS	
		ART UNIT		PAPER NUMBER
				3691
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/06/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/973,865	POLK, JOHN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Stefano Karmis	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 21 December 2006.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 127-202 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 135-142, 144, 154-162, 164, 174-182, 184, 193-200 and 202 is/are allowed.

6) Claim(s) 127-134, 143, 145-153, 163, 165-173, 183, 185-192 and 201 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

1. The following communication is in response to Applicant's amendment filed 21 December 2006.

### ***Status of Claims***

2. Claims 127, 135, 143-145, 154, 163-165, 174, 183-185, 193, 201 and 202 are currently amended. Claims 127-202 are currently pending.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 127-134, 143, 145-153, 163, 165-173, 183, 185-192 and 201 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

With respect to claims 127 and 145, the Examiner finds the claim to lack a tangible result. In order to be a tangible result, the process must produce a real-world result. The final step of independent claim 127 states, "requesting an employer of the employee to withdraw the child support obligation from a salary of the employee via the accumulator agency...." This step is not considered tangible because it could be considered to be abstract or merely encompassed in thoughts. Therefore claim 127 does not produce a real world result. Amending the claim to include a step directed towards storing, printing, displaying the "requesting" or something similar would overcome the rejection. Independent claim 145 stands rejected for similar reasons.

Art Unit: 3691

Depending claims 128-134 and 146-153 fail to produce a tangible result and therefore stand rejected for similar reasons.

With respect to claims 165 and 185, the Examiner finds the claim to lack a tangible result. In order to be a tangible result, the process must produce a real-world result. The final step of independent claim 165 states, “providing for the termination of the withdrawal of the child support obligation from the salary of the employee upon receipt of notice that the child support obligation has been satisfied.” This step is not considered tangible because it could be considered to be abstract or merely encompassed in thoughts. Therefore claim 165 does not produce a real world result. Independent claim 185 stands rejected for similar reasons.

Depending claims 166-173 and 186-192 fail to produce a tangible result and therefore stand rejected for similar reasons.

With respect to claims 143, 163, 183 and 201, the Examiner finds these claims to be non-statutory. Claim 143 recites in the preamble “A computer readable medium containing instructions for controlling a computer system at an accumulator agency to perform a method for processing through a bank a child support obligation of an employee who is a noncustodial parent to a governmental state entity of the United States, the method comprising.” Claim 143 is non-statutory because it is directed towards software, *per se*, lacking storage on a medium, which enables any underlying functionality to occur. Furthermore, the instructions are not in executable form and therefore there is no practical application. Independent claims 163, 183 and 201 stand rejected for similar reasons.

***Allowable Subject Matter***

5. Claims 135-142, 144, 154-162, 164, 174-182, 184, 193-200 and 202 are allowed.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted  
Stefano Karmis  
30 March 2007

